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Notice of Allowability

Application No.

10/005,213

Examiner

Andrew Kim

Applicant(s)

TESSMER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on September 08, 2006.
2. ☒ The allowed claim(s) is/are 91,92,94-114 and 117-122.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

DETAILED ACTION

Allowable Subject Matter

1. Claims 91, 92, 94-114, and 117-122 are allowed.
2. The following is an examiner's statement of reasons for allowance for claims 91, 92, 94-114, and 117-122:

Regarding independent claim 91, the prior art lacks disclosing, teaching, or fairly suggesting providing:

a shared bonus event among a group of players or machines in which:

a pool of entries are utilized;

a first input from the player places an entry into the pool of entries;

a second input from said player initiates a controller to randomly choose an entry in the pool;

if one of said players' entries are chosen, said player wins an award,

if not, all of said players' entries would be removed from the pool and, at a later time, another selection from the pool of entries, which no longer include said players' entries, is chosen.

Thus, the instant invention includes skill, chance and competition. All of which greatly increase player appeal. Specifically, the skill aspect is provided when each player must decide whether or not to initiate a selection of an entry. If a player decides to initiate a selection early in the shared event, the chances of winning are slim but the rewards are great, since only the player initiating the bonus event can win at that time. On the

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other side, if a player decides to initiate a selection late in the shared event, the chances of winning are much higher but the rewards might be greatly reduced. As previously discussed, the chance aspect is provided by the odds of having one of the player's entries chosen to be a winning entry; and the competition aspect is provided by having to play this bonus event among a group of players.

The prior art of record, Cannon (US 6,786,824) teaches activating the at least one feature event upon qualification of a number of players in the plurality of players, wherein the number of players is at least two but does not disclose receiving an input from the player to initiate a selection that will either eliminate the players' entries from the pool or win an award and further, at a later time, if said players' entries were eliminated, selecting another entry from the pool.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on 571-272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.K. 9/18/2006

A handwritten signature in black ink that reads "Scott E. Jones". The signature is written in a cursive, flowing style.

**SCOTT JONES
PRIMARY EXAMINER**